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C O N F I D E N T I A L PRAGUE 001387

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TAGS: [PREL](#) [AL](#) [BH](#) [GG](#) [MK](#) [PBTS](#) [RO](#) [SR](#) [UP](#) [EZ](#)
SUBJECT: CZECHS AGREE KOSOVO IS NOT A PRECEDENT FOR OTHER
CONFLICTS

REF: STATE 179829

Classified By: Acting Deputy Chief of Mission Michael Dodman
for reasons 1.4 (b) and (d).

¶1. (C) Summary. The Czechs strongly agree Kosovo is not a precedent for frozen conflicts, but are concerned that Russia and some EU member states already view Kosovo (and even Montenegro) that way. For this reason, drafting an UNSC resolution on Kosovo's final status may be tricky: the language could create unwanted legal precedent if too precise, or fail to achieve consensus among UNSC and/or EU member states if too vague. The Czechs also fear Russia may abstain from voting in favor of the UNSCR, which could cause other countries to withhold recognition of an independent Kosovo. On the recent referendum in Serbia, the Czechs are pleased the Serbs approved a new, albeit flawed, constitution, and consider the document's claim over Kosovo "irrelevant." End summary.

¶2. (C/NF) Poloffs met with Czech MFA Director of Eastern Europe Department Tomas Szunyog on November 3 to discuss Kosovo and deliver reftel talking points. Szunyog agreed Kosovo is a unique case that should not be viewed as either a legal or political precedent for the frozen conflicts in the region. He thought, however, that Russia and several EU member states (Cyprus, Greece, and Spain) already view both Kosovo and Montenegro as a political precedent. Szunyog agreed that the international community will need to carefully manage the public relations aspect of Kosovo's final status.

¶3. (C) Szunyog expressed concern about the language of the UNSC resolution on final status: if it is too vague, the debate within the EU on recognizing Kosovo's independence "could be difficult." He predicted some center- and far-left Czech MPs (CSSD, Communist) could oppose recognition of an independent Kosovo if the EU fails to reach consensus on the language of the resolution. On the other hand, if the language is too specific, Szunyog believed that international lawyers could be correct in their fears that Kosovo might establish an unwanted legal precedent. The Czechs hope the UNSC will unanimously support the resolution, but fear Russia may abstain.

¶4. (C) Regarding delay of the status process, Szunyog said delay makes little sense. However, if a very short delay becomes necessary because of the December Serbian elections, he suggested delaying until February, when Slovakia is presiding over the UNSC, rather than January, when Russia is presiding.

¶5. (C) Turning to the recent Serbian constitutional

referendum, Szunyog said the Czechs are pleased that the Serbs approved the new constitution because it was an improvement over the previous constitution. Therefore, the Czechs welcome the constitution despite its flaws (e.g., weak language on minority rights, failure to conform to the requirements of the *acquis*). Szunyog called the text on Kosovo "irrelevant" because Kosovo's status is defined by UNSCR 1244. However, he thought it "worrisome" that over 90% of voters approved the constitution, which suggests to him that the vote was more about Kosovo's final status than the constitution itself.

GRABER